



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/675,743	09/30/2003	Peter Fischer	DE920010118US1	5990

35525 7590 03/17/2008
IBM CORP (YA)
C/O YEE & ASSOCIATES PC
P.O. BOX 802333
DALLAS, TX 75380

EXAMINER

MANIWANG, JOSEPH R

ART UNIT	PAPER NUMBER
----------	--------------

2144

NOTIFICATION DATE	DELIVERY MODE
-------------------	---------------

03/17/2008

ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

ptonotifs@yeeiplaw.com

Office Action Summary	Application No. 10/675,743	Applicant(s) FISCHER ET AL.	
	Examiner JOSEPH R. MANIWANG	Art Unit 2144	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 December 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-7 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-7 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claim Rejections - 35 USC § 112

2. Claims 3-6 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.
3. Claim 3 recites the limitation "the integrated portal page". There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 102

4. Claims 1-7 are rejected under 35 U.S.C. 102(e) as being anticipated by Hamada et al. (U.S. Pat. App. Pub. 2002/0078105), hereinafter referred to as Hamada.
5. Regarding claim 1, Hamada disclosed a method and system comprising a component to add a reference to an existing navigation tree of a local portal (see paragraph [0028]), wherein the reference represents a placeholder for a navigation tree of a portal fragment of a remote portal ("insertion positions", see paragraph [0031], [0264], [0286]; "partial documents", see paragraph [0031], [0058], [0067], [0068], [0286]), and wherein the navigation tree defines a relationship between nodes of the navigation tree (see paragraph [0031]); a component to establish communication with the

remote portal and to receive meta-information of the portal fragment via a communication component of the remote portal, wherein the meta-information describes the navigation tree of said portal fragment (see paragraph [0073]); a component to merge the existing navigation tree of the local portal with the navigation tree of the portal fragment, wherein a new navigation tree is formed (see paragraph [0073]); and a component to traverse the new navigation tree by applying a look and feel of the local portal (see paragraph [0067], [0267], [0268]).

6. Regarding claim 2, Hamada disclosed the method and system further comprising a transformation component at a local portal side which receives the meta-information in a standardized extensible markup language -format and transforms the meta-information into a format of the existing navigation tree of the local portal (see paragraph [0063]).

7. Regarding claims 3 and 7, Hamada disclosed a method and system comprising identifying a reference in an existing navigation tree of local portal representing a placeholder for a navigation tree of the remote portal fragment ("insertion positions", see paragraph [0031], [0264], [0286]), wherein the navigation tree defines a relationship between nodes of the navigation tree (see paragraph [0031]); establishing communication with the remote portal (see paragraph [0073]); receiving meta-information from the remote portal describing the navigation tree of the remote portal fragment to be integrated (see paragraph [0073]); merging the existing navigation tree with the navigation tree of the remote portal fragment to be integrated resulting in a new navigation tree (see paragraph [0067], [0267], [0268]); and rendering an integrated

portal page by traversing the new navigation tree, identifying references to remote portal fragment in the new navigation tree, establishing communication with the remote portals, and receiving a markup of the remote portal fragment for displaying the remote portal fragment into the integrated portal page (see paragraph [0067], [0267], [0268]).

8. Regarding claim 4, Hamada disclosed the method and system wherein receiving the meta-information comprises loading a navigation tree of the remote portal if a portal fragment request is received by the remote portal (see paragraph [0070], [0209]); extracting the navigation tree of the remote portal fragment to be integrated from the navigation tree of the remote portal (see paragraph [0072]); and inserting the navigation tree of the remote portal fragment into an extensible markup language document (see paragraph [0067], [0267], [0268]).

9. Regarding claim 5, Hamada disclosed the method and system further comprising receiving the meta-information by the local portal in a standardized extensible markup language format (see paragraph [0063]).

10. Regarding claim 6, Hamada disclosed the method and system wherein the meta-information is converted from the standardized extensible markup language format into a format of the existing navigation tree of the local portal before merging (see paragraph [0075]).

Response to Arguments

11. Applicant's arguments filed 12/07/07 have been fully considered but they are not persuasive.

12. Regarding claims 1-7 rejected under 35 U.S.C. 102(e) as being anticipated by Hamada et al. (U.S. Pat. App. Pub. 2002/0078105), Applicant generally asserts that the prior art reference does not teach “a component to add a reference to an existing navigation tree of a local portal, wherein the reference represents a placeholder for a navigation tree of a portal fragment of a remote portal and wherein the navigation tree defines a relationship between nodes of the navigation tree” as recited in independent claim 1. Specifically, Applicant appears to assert that Hamada teaches performing the claimed functions on “web page content” rather than the claimed “navigation tree” which “defines a relationship between nodes of the navigation tree”. However, Examiner submits that Hamada clearly teaches the use of navigation trees as claimed, as the content in Hamada was organized in a tree structure (paragraph [0078], [0258]-[0264]). While Applicant argues that the content/partial documents of Hamada do not teach a “navigation tree defining a relationship between nodes”, it is noted that as recognized by Applicant, such content/partial documents were composed in XML, and when coupled with the fact that Hamada discloses “the optimal language for the description of such a compositional web document is XML...the XML is guaranteed to have a tree type document structure...expressed as a node on the document structure” (see paragraph [0063]), it is clearly evident that the disclosed content of Hamada is precisely the “navigational tree defining a relationship between nodes” as claimed. Additionally, while Applicant argues that “the change in the relationship between nodes would not be recognized” in Hamada, it is noted that the features upon which applicant relies (i.e., dynamic recognition of remote portal fragment changes) are not recited in the rejected

claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993). For these reasons, claim 1 is rejected. Similarly, as Applicant relies on the same argument regarding claim 1 for claims 2-7, those claims are rejected under the same rationale presented above.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JOSEPH R. MANIWANG whose telephone number is (571)272-3928. The examiner can normally be reached on Mon-Fri 8:00-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William C. Vaughn can be reached on (571) 272-3922. The fax phone

Art Unit: 2144

number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

JM

/William C. Vaughn, Jr./

Supervisory Patent Examiner, Art Unit 2144